

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL A. SHAFFER,

Plaintiff

V.

**SUSAN GRAYBILL, as an :
individual and as Administratrix of the :
Estate of DENNIS M. GRAYBILL; :
MINUTEMAN PRESS :
INTERNATIONAL, INC.; :
and ROBERT EMMETT, :**

Defendants

CIVIL NO. 01-CV-1065

ORDER

The background of this order is as follows:

The captioned matter was remanded to this court by the Third Circuit Court of Appeals with instructions “to dismiss the action or, after giving the parties the opportunity to be heard, transfer the action to an appropriate district court in New York” A conference call was scheduled for August 11, 2003, at 9:15 a.m. Plaintiff was instructed to place the call¹. At the appointed time and date, no call was placed by Plaintiff. Plaintiff was called by a deputy court clerk but there was no

¹The July 28, 2003, order scheduling the conference call directed Plaintiff's counsel to place the call; however, Plaintiff's counsel telephoned the court shortly thereafter and advised that the Third Circuit Court of Appeals permitted his withdrawal and that he was no longer representing Plaintiff. At that time, a copy of the scheduling order was mailed to Plaintiff's home address with a memorandum from the deputy court clerk advising Plaintiff to place the call or, if he was unable to place the call, to notify the court and the court would place the call.

answer. Counsel for Defendants were available and, after a brief conference, an order was issued dismissing the captioned action.

On August 13, 2003, Plaintiff called the court advising that he had been away for a period of two weeks and was not aware of the scheduled conference call. Plaintiff was advised that the court dismissed the case to which he verbally objected.

Accordingly, **IT IS HEREBY ORDERED THAT** a conference call will be held on Monday, August 18, 2003, at 10:00 a.m. The court will place the call to Plaintiff and counsel for Defendants. The Clerk of Court shall note for the record that Plaintiff is proceeding *pro se* and shall mail a copy of this order directly to Plaintiff.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: August 14, 2003.